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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,534	07/02/2001	Wayne T. Myers	243768058US	7547

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PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

GARG, YOGESH C

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,534

Applicant(s)

MYERS ET AL.

Examiner

Yogesh C Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/14/2002</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.1. Claims 1, 6, are rejected under 35 U.S.C. 102(b) as being anticipated by Dworkin (US Patent 4,992,940) .

Regarding claim 1, Dworkin discloses a method in a computer system for providing information related to a supplier of engineering services (see at least col.1, line 62-col.2, line 5) the method comprising:

receiving a request for a supplier search display description (see at least col.2, lines 6-col.3, line 19, “ *In practicing the invention, the user must first tell the system the general type of product or service desired. This step can be done by selecting an appropriate item from a menu,.....*”. Note: the act of the user of pointing out a desired service or product corresponds to receiving a request for a supplier at the system to display the description of a supplier of that product or service); the supplier search display description configured to receive selected search criteria including a skill; providing the supplier search display description; receiving the selected search criteria; based on

the received selected search criteria, retrieving information related to the supplier; generating a supplier information display description containing at least a portion of the retrieved information related to the supplier; and providing the generated supplier information display description (see at least col.2, lines 6-col.3, line 19, “ In response to the user's choice, the system displays a template which gives various technical criteria for the product or service. By filling in one or more spaces on this template, the user can tell the system the criteria to be deemed minimum requirements. The system then searches the database for all products or services, within the selected category, which fulfill these minimum requirements. Then the system displays, to the user, general information about the products or services retrieved. Initially, the system shows the user certain basic information such as the manufacturer, model number.....When the user enters the number or identifier of a product or service appearing on the above-described display, the system shows the user the names of the suppliers from whom that product or service can be obtained. At the user's request, the system can also display a set of more detailed specifications for the chosen product or service. The user can then order a product through the system by selecting one of the retrieved products by its identifier. The user can also obtain detailed information about the requirements and policies of a particular vendor.The present system and method therefore enable the user to shop for products or services having particular specifications, The user can quickly and easily find the product or service having the lowest price, and having the required specifications.It is another object to provide a system and method for selecting and/or purchasing products and/or services.....It is another object to provide a system and method as described above, wherein a user can easily shop for equipment, having specified characteristics, from a plurality of vendors, and wherein the user can easily determine which vendor offers the best price.It is another object to provide a system and method as described above, wherein the user can easily obtain information about a particular vendor..... “ . Note: the various technical criteria received for the product/service would inherently include the details required for a supplier, specially when the request is directed to a consultant, see col.10, lines 22-53, “ For example, the user can

choose from a list of software applications such as accounting, communications, database management, scientific applications, games, computer languages, operating systems, and others. The specification screen displayed in block 35 would then contain criteria pertaining to software. In the latter case, the user would identify the field in which a consultant is desired, and would enter, in block 37, details such as level of experience and possibly a range of hourly rates. The system would then search its database and list the software consultants fulfilling the user's criteria. ... The system can also be programmed to allow direct access, by suppliers, to the database, so that the suppliers themselves can update their information whenever necessary. “).

Regarding claim 6, Dworkin discloses that the method of claim 1 wherein the supplier information display description is a first supplier information display description, the method further comprising: receiving a request for a second supplier information display description, the second supplier information display description comprising supplier qualification information; and providing the second supplier information display description (see at least Figs. 6, 7 and col.7, lines 7-61, “ *The latter menu typically consists of three choices, namely 1) obtain information on suppliers of the selected product.....In test 53, the system determines whether the user has chosen to view the suppliers of the selected product. Suppose the answer is yes. Then the system, in block 55, displays the suppliers, in a manner exemplified by FIG. 7. (.... In the example given, each screen contains information on three suppliers. “ . Note: The information requested is for three suppliers which includes request for information on second supplier.)*

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.1. Claims 2 and 9-10 are rejected under 35 U.S.C. 103(a) as being obvious over Dworkin and further in view of Official Notice.

Regarding claim 2, Dworkin teaches that the method of claim 1 wherein: the supplier search display description is a main search web page containing one or more of a skill search tool configured to receive a selected skill or a region search tool configured to receive a selected region; and wherein the received supplier criteria comprises one or more of the selected skill or the selected region (see at least col.2, lines 6-col.3, line 19, "*..... In response to the user's choice, the system displays a template which gives various technical criteria for the product or service. By filling in one or more spaces on this template, the user can tell the system the criteria to be deemed minimum requirements. The system then searches the database for all products or services, within the selected category, which fulfill these minimum requirements. Then the system displays, to the user, general information about the products or services retrieved. Initially, the system shows the user certain basic information such as the manufacturer, model number.....When the user enters the number or identifier of a product or service appearing on the above-described display, the system shows the user the names of the suppliers from whom that product or service can be obtained. At the user's request, the system can also display a set of more detailed specifications for the chosen product or service. The user can then order a product*

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through the system by selecting one of the retrieved products by its identifier. The user can also obtain detailed information about the requirements and policies of a particular vendor. The present system and method therefore enable the user to shop for products or services having particular specifications, The user can quickly and easily find the product or service having the lowest price, and having the required specifications. It is another object to provide a system and method for selecting and/or purchasing products and/or services. It is another object to provide a system and method as described above, wherein a user can easily shop for equipment, having specified characteristics, from a plurality of vendors, and wherein the user can easily determine which vendor offers the best price. It is another object to provide a system and method as described above, wherein the user can easily obtain information about a particular vendor.

“ . Note: the various technical criteria received for the product/service would inherently include the details required for a supplier, specially when the request is directed to a consultant, see col.10, lines 22-53, “ For example, the user can choose from a list of software applications such as accounting, communications, database management, scientific applications, games, computer languages, operating systems, and others. The specification screen displayed in block 35 would then contain criteria pertaining to software. In the latter case, the user would identify the field in which a consultant is desired, and would enter, in block 37, details such as level of experience and possibly a range of hourly rates. The system would then search its database and list the software consultants fulfilling the user's criteria. ... The system can also be programmed to allow direct access, by suppliers, to the database, so that the suppliers themselves can update their information whenever necessary. “ . Note: Dworkin satisfies the condition that the page contains one or more of a skill search tool configured to receive a selected skill such as, accounting, communication or database management.).

Dworkin does not disclose that the page is a web page. However, the examiner takes an Official Notice of the fact that use of Web pages is notoriously well known at

the time of the applicant's invention because the Web page presents documents in the form of HTML file on world wide web and helps the users to use the links on the HTML file to connect to other Web pages. In view of the Official Notice, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Dworkin to use web pages presenting documents in HTML files to allow users to link to other web pages to receive information.

Dworkin also does not disclose that the web page contains a region search tool configured to receive a selected region related to a supplier. However, the examiner takes an Official Notice of the fact that the users do specify a preferred location of the supplier for the obvious reason to know the shipping cost including the transportation cost and taxes to get physical goods transported from the supplier's location region to his destination. In view of the Official Notice, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Dworkin to use a region search tool configured to receive a selected region related to a supplier because that will enable the user to select a preferred location of the supplier to reduce the shipping cost as explained above.

Regarding claims 9-10, Dworkin does not explicitly teach that the supplier supplies manufacturing services/one or more of design, drafting or analytical services. The examiner takes Official Notice of the concept that it is generally well-known that suppliers/contactors are available supplying manufacturing services/ one or more of design, drafting or analytical services because it is cost effective for companies who

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merely provide marketing and consultancy services but do not have in-house drawing/design/manufacturing activities to get them manufactured from outside contractors and before manufacturing they might have to use the services of outside contractors for designing and drafting and analysis of the designs etc. In view of the Official Notice, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Dworkin to use suppliers who provide manufacturing services/one or more of design, drafting or analytical services because that will enable the users to select a preferred sub-contractors to get their products manufactured as explained above.

2.2. Claim 3 is rejected under 35 U.S.C. 103(a) as being obvious over Dworkin and further in view of Carlin et al. (US Patent 5,694,549), hereinafter referred to Carlin.

Regarding claim 3, Dworkin does not disclose that the supplier search display description is a main search web page containing a global rollover map search tool configured to receive a pointing device and contemporaneously display a supplier list, the supplier list configured to receive a selected supplier; and wherein the received supplier criteria comprises the selected supplier. However, Carlin discloses this limitation (see at least col.6, lines 10-34, "*An exemplary method of defining the features to be provided is shown in FIGS. 3a-j. The set of features for a particular service provider is referred to as a "map." The map associates the features with the subscriber interface. Once the map is defined, data for the map is stored in the provider specific menu data 34. FIGS. 3a-i illustrate an exemplary method of the creation of map information along with a menu defining the features to be*

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provided to the subscribers. FIG. 3a illustrates an initial screen 37 for defining the menu. The screen includes a menu bar 38, a title bar 40 with the name of the service, a window 42, an ADD button 44, a CUT button 46, a PASTE button 48, an EDIT button 50 and a NEXT button 52. To create a new service, "create map" (not shown) is chosen from the "services" menu on the menu bar 38 to define the features to be used in the service along with a user interface. "). In view of Carlin, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Dworkin to incorporate the feature of that the main search web page containing a global rollover map search tool configured to receive a pointing device and contemporaneously display a supplier list, the supplier list configured to receive a selected supplier and wherein the received supplier criteria comprises the selected supplier because that will help the system to create service maps for the suppliers which define the set of features available to the users, as explicitly disclosed in Carlin (see at least col.7, lines 15-23).

2.3. Claims 4-5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dworkin and further in view of Wittgreffe et al. (US Patent 6,253, 208); hereinafter referred to as Wittgreffe.

Regarding claims 4-5, Dworkin does not disclose that the method of claim 1 wherein the retrieved information related to the supplier includes the name of a project the supplier worked on and the name of an individual who has worked with the supplier and the name of a skill the supplier has worked and the name of the supplier. However, Wittgreffe in the same endeavor of accessing information over the Internet teaches this missing limitation (see at least col.11, lines 11-67, " Referring to FIG. 3, a diagram is

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presented to show the normalized structure of a database 135 employed in a particular embodiment of the invention as applied to a commercial property trading system. A Real Estate file 300 is provided, containing a record for each individual property identified by the result analyzer 130 from the query results. A Contacts file 305 contains a record of all the known contacts associated with property contained in the Real Estate file 300, in particular all those contacts identified by the result analyzer 130 from the query result files. Records in the Real Estate file 300 may be associated with records in the Contacts file 305 by means of the Role file 310. The Role file 310 comprises a record for each association between a record in the Real Estate file 300 and a record in the Contact file 305, including an indication of the nature of role of the contact with respect to the property. A list of valid roles for use in the Roles file 310 may be maintained in a Valid Roles file 315. ". Note: The Real Estate file 300 corresponds to a project which includes all records of suppliers and other personnel related to this file 300, the Roles correspond to skills of the suppliers and the Contacts correspond to names of individuals who are associated with the project). In view of Wittgreffe, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Dworkin to incorporate the feature of that the retrieved information related to the supplier includes the name of a project the supplier worked on and the name of an individual who has worked with the supplier and the name of a skill the supplier has worked because this helps the system and users to view online all the relevant information about a project including the name of key personnel involved, the roles of different participants as suppliers or otherwise and then make educated and intelligent decisions for future requirements.

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2.4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dworkin and further in view of Fouraker et al. (US 2003/0055731 A1); hereinafter referred to as Fouraker

Regarding claim 7, the limitations that the supplier information display description is a first supplier information display description, receiving a request for a second supplier information display description, and providing the second supplier information display description are already covered and analyzed in claims 1 and 6 above as anticipated by Dworkin. Dworkin does not disclose that the second supplier information display description comprising a supplier score indicative of the supplier's qualification in a selected skill. However, Fouraker discloses this missing limitation (see at least paragraphs 0271—273, page 8, “ *Retailer-Distributor Electronic Interface establishes an electronic purchasing system and thus “electronic commerce” This includes electronic order entry (via Web or BOH),, and **most important, contract compliance and distributor performance measurement**, which assists in managing distributor performanceSupplier-Distributor Electronic Interface facilitates the development of electronic commerce between system suppliers and distributors including electronic ordering and confirmations, ... **and electronic supplier performance measuring and reporting. This includes distributor and supplier performance measures,thereby providing a basis for collaborative planning and forecasting.** ” . Here, Fouraker teaches measuring the supplier's performance and consider that measurement of performance in collaborative planning and forecasting and this corresponds to the claimed limitation of disclosing the second supplier's score indicative of supplier's qualification.). In view of Fouraker, it would have been obvious to one of an ordinary skill in the art at the time*

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of the applicant's invention to have modified Dworkin to incorporate the feature of disclosing a supplier score indicative of the supplier's qualification in a selected skill because this helps the system and users to provide a basis for collaborative planning and forecasting the Supply chain data, as explicitly disclosed in Fouraker.

3. Regarding Claims 11-49, their limitations are closely parallel to the limitations already covered in claims 1-10 above and are therefore analyzed and rejected under 35 U.S.C. 103(a) as being unpatentable over Dworkin, in view of Carlin, in view of Siefert, in view of Official Notice, in view of Wittgreffe and further in view of Fouraker on the basis of same rationale as applied in claims 1-10.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) Press release, " Changepoint partners with SkillsVillage.com to offer integrated access to IT marketplace" , Canada News Wire; Ottawa; April 4, 2000 extracted from Proquest database on Internet on 12.13/2004 discloses searching and managing IT contractors and resources using a fully-integrated, web- enabled framework.

(ii) KR2001000784A to Kim et al. discloses a method and system for on-demand product information.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yogesh C Garg
Examiner
Art Unit 3625